IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

JUDGES ORDER NO.56 OF 2006
IN
GUARDIANSHIP PETITION NO.91 OF 2003

Vijay Karsan Patel Plaintiff

versus

Smt.Harbai Karsan Patel & ors. Defendants

Mr.J.S.Kini for plaintiff.

None for defendants.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 9th March 2006

PC :

1. Heard Shri Kini appearing for the petitioner. Shri Kini brings to my notice the order passed by this Court on 28th March 2005 allowing the Guardianship Petition No.91 of 2003 and appointing the petitioner as a Guardian of the ward Hemlata K. Patel. Liberty was granted in the said order to apply for sanction to the sale of immovable properties and appropriate directions with regard to the sale proceeds coming to the share of the ward. Pursuant

thereto, present Judge’s Order has been filed.

2. Upon perusal of the affidavit in support thereof and the annexures thereto, in my view, as far as sanction to the sale of the immovable property is concerned, since the same is by consent of all family members and they are willing to protect the share of the mentally retarded ward, the petitioner is allowed to go ahead with the sale. However, as far as share of the mentally retarded person and the sale proceeds are concerned,the same should be deposited with the Accounts Officer of this Court, who shall take appropriate steps for investing the same and seek further directions of this Court in that behalf. The amount to be deposited within a period of four weeks from the date of receipt thereof. Judge’s Order is granted in these terms. Shri Kini appearing for petitioner is agreeable to the above directions.

(S.C.DHARMADHIKARI, J.)